

PD-1362-18

**DEWEY DEWAYNE BARRETT**

Petitioner

**vs.**

**THE STATE OF TEXAS,**

Respondent

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**IN THE COURT OF**

FILED  
COURT OF CRIMINAL APPEALS

12/2/2019

DEANA WILLIAMSON, CLERK

**CRIMINAL APPEALS**

**AUSTIN, TEXAS**

**PETITIONER'S FIRST MOTION FOR EXTENSION OF TIME TO FILE BRIEF**

**TO THE HONORABLE COURT:**

Now comes Austin Reeve Jackson, counsel for Petitioner in the above entitled and numbered cause, and makes this Motion, and for good cause shows the following:

**I.**

It is counsel's understanding that the Court has today been informed that counsel was appointed by the trial court to represent petitioner in this matter. Petitioner is requesting an extension of time to file his brief in this matter and no prior extensions have been requested.

**II.**

Counsel was appointed on this case after the Court granted a *pro se* PDR and did not represent Petitioner in either the trial or intermediate appellate courts. Therefore, he has no prior knowledge of the facts of this case, questions raised on PDR, or the law at issue.

Further, while working on this case counsel has also been working on approximately 40 open appellate cases in this and other courts to which he has been appointed by Smith County district courts. This has included investigating motions for

new trials (looking for and talking with potential witnesses, jail and office visits with new appellate appointments, trial court appearances for the same), requests for and reviews of reporter's and clerk's records, research, briefing, review of opinions, investigation of potential PDR issues, etc. While not all of these cases have required significant attention from counsel during this time, many of them have which has resulted in counsel having been unable to devote the full attention necessary to this case prior to today's date.

### **III.**

No prior extensions have been requested and it is respectfully prayed that the in the interest of justice, the Court grant this motion.

**WHEREFORE, PREMISES CONSIDERED**, undersigned counsel respectfully prays that, in accordance with the applicable law, the Court grant this Motion and extend the date by which to file a brief by thirty days.

Respectfully submitted,

/s/Austin Reeve Jackson  
Texas Bar No. 24046139  
PO Box 8355  
Tyler, TX 77511  
Telephone: (903) 595-6070  
Facsimile: (866) 387-0152

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing document was served on counsel for the State by facsimile concurrently with its filing.

/s/Austin Reeve Jackson